

**IN THE  
UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

UNITED STATES OF AMERICA,	)	C.A. No. 22-50048
	)	D.C. No. CR 2:20-00387-AB-1
Plaintiff-Appellee,	)	(Central Dist. Cal.)
	)	
v.	)	<b>GOVERNMENT'S</b>
	)	<b>UNOPPOSED MOTION FOR</b>
STEVEN DUARTE,	)	<b>SECOND EXTENSION OF</b>
	)	<b>TIME TO FILE ANSWERING</b>
Defendant-Appellant.	)	<b>BRIEF; DECLARATION OF</b>
	)	<b>SURIA M. BAHADUE</b>

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Plaintiff-Appellee United States of America, by and through its counsel of record, hereby moves this Court for an extension of the time within which the government must file its answering brief in the above-captioned matter. The government requests a 30-day extension of time, up to and including May 31, 2023. The government previously obtained a 60-day extension of time. Defendant does not oppose this request.

The motion is made pursuant to Federal Rules of Appellate Procedure 26(b) and 27 and Ninth Circuit Rule 31-2.2(b) and is based on the files and records in this case and the attached declaration of Suria M. Bahadue.

Defendant is in custody serving the sentence imposed in this case.

No court reporter is in default with regard to any designated transcript.

DATED: April 24, 2023

Respectfully submitted,

E. MARTIN ESTRADA  
United States Attorney

MACK E. JENKINS  
Assistant United States Attorney  
Chief, Criminal Division

BRAM M. ALDEN  
Assistant United States Attorney  
Chief, Criminal Appeals Section

*/s/ Suria M. Bahadue*

SURIA M. BAHADUE  
Assistant United States Attorney  
Criminal Appeals Section

Attorneys for Plaintiff-Appellee  
UNITED STATES OF AMERICA

## DECLARATION OF SURIA M. BAHADUE

I, Suria M. Bahadue, hereby declare and state as follows:

1. I am an Assistant United States Attorney in the Central District of California and a member of my office's Criminal Appeals Section.

2. I am responsible for preparing the government's answering brief in *United States v. Steven Duarte*, C.A. No. 22-50048. On January 27, 2023, defendant-appellant Steven Duarte filed his opening brief after four unopposed extensions of his deadline for doing so.

3. The government previously obtained a 60-day extension of its deadline for filing its answering brief, which presently is due on May 1, 2023. I am requesting a 30-day extension to May 31, 2023.

4. Although I have exercised diligence with respect to this appeal and will continue to do so, I do not anticipate being able to complete the government's answering brief by its current May 1, 2023, due date and anticipate needing an additional 30 days to do so for the following reasons:

a. I have spent a substantial amount of time preparing for a jury trial in *United States v. Aksenov*, No. 22-CR-004520-JFW,

which is presently scheduled to proceed to trial on May 9, 2023. In addition, I have two upcoming oral arguments in *United States v. Leon Eckford*, C.A. No. 17-50167, scheduled for June 13, 2023, and *United States v. Albert Carrasco*, C.A. No. 21-50290, scheduled for June 30, 2023.

b. I also am responsible for a range of post-indictment prosecutions, which are subject to the requirements of the Speedy Trial Act, and pre-indictment investigations concerning drug trafficking, firearms trafficking, and other crimes, which require completion of time-sensitive assignments.

c. I was on annual leave from April 5, 2023, through April 23, 2023.

5. On April 24, 2023, I conferred with counsel for defendant, Deputy Federal Public Defender Sonam Henderson, via email, regarding the requested extension. Counsel informed me that he does not object.

6. Defendant is in custody serving the sentence imposed in this case. No court reporter is in default with regard to any designated transcript.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED this 24th day of April in 2023, in Los Angeles, California.

*/s/ Suria M. Bahadue*

SURIA M. BAHADUE  
Assistant United States Attorney